

FILED DATE: 12/5/2024 2:40 PM 2024L066099

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

DEBORAH LABADIE, ) 2024L066099  
Plaintiff, ) Case No.  
)  
v. ) Amount in Excess of \$100,000.00  
)  
SOUTHWEST AIRLINES CO, and )  
JOHN DOE, ) Jury Demanded  
Defendant. )

FILED  
12/5/2024 2:40 PM  
Mariyana T. Spyropoulos  
CIRCUIT CLERK  
COOK COUNTY, IL  
2024L066099  
Calendar, P - 0207  
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COMPLAINT AT LAW

Now comes the Plaintiff, DEBORAH LABADIE, by her attorneys, ARMAN G. SARKISIAN and JORDAN K. PACK of SARKISIAN, SARKISIAN, & ASSOCIATES, PC, and for her cause of action against Defendants, SOUTHWEST AIRLINES CO and JOHN DOE, alleges and states as follows:

COUNT I  
NEGLIGENCE

1. That all of the events relevant hereto took place in Cook County, State of Illinois.
2. That at all times relevant hereto, the Plaintiff, DEBORAH LABADIE, was an individual and resident of the State of Indiana, County of Lake, City of Crown Point.
3. That on or about December 15, 2022, at approximately 10:50 a.m., Defendant SOUTHWEST AIRLINES CO, owned, possessed, operated, managed, maintained, and/or controlled the curbside baggage check-in counter at Chicago Midway International Airport, located at 5700 S Cicero Ave, Chicago Illinois 60638.
4. That on said date and at said time, Plaintiff, DEBORAH LABADIE, was business invitee and/or customer, otherwise legally to be at the curbside baggage check-in counter located at Chicago Midway International Airport.



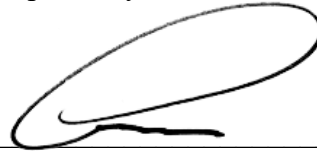
5. That the Plaintiff, DEBORAH LABADIE, purchased an airline ticket from SOUTHWEST AIRLINES CO to fly to the State of Florida on December 15, 2022.
6. That on said date and time, Defendant, SOUTHWEST AIRLINES CO, is a for-profit business licensed to transact business in the State of Illinois.
7. That on said date and time, Defendant, JOHN DOE, was believed to be an employee and/or agent of SOUTHWEST AIRLINE CO working at Chicago Midway International Airport.
8. That on said date and at said time, Defendant SOUTHWEST AIRLINES CO, through its agents, employees, and assigns, had a duty to exercise ordinary care in its ownership, possession, management, maintenance, and control of the subject curbside baggage check-in counter such that it was reasonably safe for individuals legally traversing the roadway near the curbside baggage check-in counter.
9. That on said date and at said time, Plaintiff, DEBORAH LABADIE, was standing at the baggage drop-off counter of SOUTHWEST AIRLINES CO, at Chicago Midway International Airport.
10. That at the aforesaid time and place, Defendant, UNKNOWN EMPLOYEE, was working at the curbside baggage check-in counter of SOUTHWEST AIRLINES CO, at Chicago Midway International Airport.
11. That on said date and time, while the Defendant was assisting the Plaintiff with her bag, Defendant fell and landed with the full force of his body weight onto the Plaintiff, DEBORAH LABADIE.
12. That at all times relevant to this complaint, Defendants, UNKNOWN EMPLOYEE and SOUTHWEST AIRLINES, owed a duty to exercise ordinary care and caution as to not cause injury to the Plaintiff.

13. That at all times relevant to this Complaint, Defendants, SOUTHWEST AIRLINES CO and JOHN DOE, owed a duty to exercise ordinary care and caution so as not to cause injury to Plaintiff, and specifically owed a duty to operate the curbside baggage check-in counter in a safe and reasonable manner.
14. That the Defendant, JOHN DOE, was then and there guilty of one or more of the following careless and negligent acts and/or omissions:
- a. Incapable of performing job duties safely;
  - b. Unqualified to perform his job and/or duty;
  - c. Unqualified to perform his job and/or duties in a handicap zone;
  - d. Failed to get assistance when needed to help a customer.
  - e. Failed to keep a proper lookout of surrounding areas.
  - f. Failed to ensure the safety of a customer;
  - g. Improperly assisting customers;
  - h. Failed to perform his job/duties in a reasonable and safe manner.
15. That one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant was the proximate cause of said occurrence and the personal injuries hereinafter stated.
16. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendants, SOUTHWEST AIRLINES CO and JOHN DOE, the Plaintiff, DEBORAH LABADIE, sustained severe and permanent injuries, both externally and internally, and was and will be hindered and prevented from attending to his usual duties and affairs, and has lost and will in the future lose the value of that time as aforementioned. Plaintiff suffered, and will continue to suffer, lost wages as a result of the

Defendant's careless and negligent acts and/or omissions. Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer from pain and anguish. Plaintiff further expended and became liable for, and will continue to expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of the aforementioned injuries, and all other harms and losses otherwise available to Plaintiff.

WHEREFORE, Plaintiff, DEBORAH LABADIE, prays for judgment in her favor and against Defendant, SOUTHWEST AIRLINES CO and JOHN DOE, in a sum in excess of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00), for costs of suit, and for all other just and proper relief in the premises.

Respectfully submitted,



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Attorneys for Plaintiff

**COUNT II – RESPONDEAT SUPERIOR**

Comes Now Plaintiff, DEBORAH LABADIE, by her attorneys, ARMAN G. SARKISIAN and JORDAN K. PACK of SARKISIAN, SARKISIAN, & ASSOCIATES, PC., complaining of Defendant, SOUTHWEST AIRLINES CO, alleges and state as follows:

17. That the Plaintiff repeats and re-alleges rhetorical paragraphs 1-16 above, as if fully set

forth herein.

18. That at all times relevant herein, the Defendant, JOHN DOE, acted negligently, recklessly, and/or carelessly in the scope of his employment.
19. That at all times relevant herein, the Defendant, JOHN DOE, was an employee and/or agent of the Defendant, SOUTHWEST AIRLINES CO
20. That as an employee and/or agent of the Defendant, SOUTHWEST AIRLINES CO, the Defendant, JOHN DOE, was acting within the course and scope of his employment relationship or agency relationship.
21. That as an employee and/or agent of the Defendant, SOUTHWEST AIRLINES CO, the Defendant, JOHN DOE, was under the direct control and supervision of the Defendant, SOUTHWEST AIRLINES CO.
22. That the Defendant, SOUTHWEST AIRLINES CO, is vicariously liability for the negligent, reckless, and/or careless acts or omissions of its employee and/or agent, JOHN DOE, pursuant to the doctrine of *Respondeat Superior*.

WHEREFORE, Plaintiff, DEBORAH LABADIE, prays for judgment in her favor and against Defendant, SOUTHWEST AIRLINES CO and JOHN DOE, in a sum in excess of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00), for costs of suit, and for all other just and proper relief in the premises.

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Attorneys for Plaintiff

**COUNT III – NEGLIGENT HIRING, TRAINING, ENTRUSTMENT, AND/OR  
SUPERVISION**

Now comes the Plaintiff, DEBORAH LABADIE, by her attorneys, ARMAN G. SARKISIAN and JORDAN K. PACK of SARKISIAN, SARKISIAN, & ASSOCIATES, PC complaining of defendant, SOUTHWEST AIRLINES CO, alleges and state as follows:

23. That the Plaintiff repeats and re-alleges rhetorical paragraphs 1-22 above, as if fully set forth herein.
24. That the Defendant, SOUTHWEST AIRLINES CO, owed the general public, including the Plaintiff, a duty to determine the qualifications of its employees and agents, including but not limited to:
  - a. Adequately evaluating applicants before hiring them as employees or agents;
  - b. Adequately training and supervising employees and agents;
  - c. Adequately evaluating the employee's or agent's job performance so as to discharge any incompetent or negligent employee before he or she injures the public or property;
  - d. Had a duty to employ individuals to perform all aspects of the job.
25. That the Defendant, SOUTHWEST AIRLINES CO, breached one or more of these duties to the public, including the Plaintiff, by its negligent hiring, training, supervision, and retention of the Defendant, JOHN DOE, who was otherwise negligent when causing harm

to the Plaintiff.

26. As a proximate result of one or more of these negligent actions by the Defendant, SOUTHWEST AIRLINES CO, the Plaintiff, DEBORAH LABADIE, suffered severe injuries, has incurred substantial medical expenses and lost wages, endured severe physical pain and emotional distress, some if not all of which are permanent and ongoing.

WHEREFORE, Plaintiff, DEBORAH LABADIE, prays for judgment in her favor and against Defendant, SOUTHWEST AIRLINES CO and JOHN DOE, in a sum in excess of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00), for costs of suit, and for all other just and proper relief in the premises.

Respectfully submitted,



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